



House of Representatives

General Assembly

File No. 115

January Session, 2019

Substitute House Bill No. 5975

House of Representatives, March 25, 2019

The Committee on Children reported through REP. LINEHAN of the 103rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE ONLINE SALE AND DELIVERY OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2019*) (a) As used in this section,
2 "electronic nicotine delivery system" and "vapor product" have the
3 same meanings as provided in section 19a-342a of the general statutes.

4 (b) Any person who sells electronic nicotine delivery systems or
5 vapor products online and ships electronic nicotine delivery systems
6 or vapor products directly to a consumer in this state shall: (1) Require
7 such consumer to provide a copy of such consumer's valid motor
8 vehicle operator's license or a valid identity card, as described in
9 section 1-1h of the general statutes, at purchase; (2) ensure that the
10 name on such motor vehicle operator's license or identity card is
11 identical to the name on the credit card, charge card, debit card or
12 other method of payment used to purchase such systems or products;
13 (3) ensure that the shipping labels on all packages containing such

14 systems or products conspicuously state the following: "CONTAINS
15 ELECTRONIC NICOTINE DELIVERY SYSTEMS OR VAPOR
16 PRODUCTS - SIGNATURE OF A PERSON LEGALLY PERMITTED
17 TO PURCHASE SUCH SYSTEMS OR PRODUCTS REQUIRED FOR
18 DELIVERY"; and (4) obtain the signature of a person permitted to
19 purchase such systems or products pursuant to section 53-344b of the
20 general statutes at the address prior to delivery, after requiring the
21 signer to demonstrate that the signer is permitted to purchase such
22 systems or products pursuant to section 53-344b of the general statutes
23 by providing a valid motor vehicle operator's license or valid identity
24 card.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2019</i>	New section
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KID*Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill places certain requirements on anyone selling e-cigarettes online and results in no fiscal impact to the state due to no enforcement provisions or penalties being included in the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5975*****AN ACT CONCERNING THE ONLINE SALE AND DELIVERY OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.*****SUMMARY**

This bill requires anyone who sells e-cigarettes (i.e., electronic nicotine delivery systems or vaping products) online and ships them directly to a consumer in the state to:

1. require the consumer to provide a copy of his or her valid driver's license or identity card at the time of purchase,
2. ensure that the name on the license or identity card is identical to the name on the credit or debit card or other payment method used for the purchase, and
3. obtain the signature of a person aged 18 or older at the address prior to delivery after requiring the signer to provide a driver's license or identification card as proof of age.

Under the bill, the shipping label on such packages must conspicuously state:

"CONTAINS ELECTRONIC NICOTINE DELIVERY SYSTEMS OR VAPOR PRODUCTS - SIGNATURE OF A PERSON LEGALLY PERMITTED TO PURCHASE SUCH SYSTEMS OR PRODUCTS REQUIRED FOR DELIVERY."

The bill does not include enforcement provisions or penalties pertaining to these online sales.

EFFECTIVE DATE: July 1, 2019

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 14 Nay 0 (03/07/2019)